

Before The  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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APR 9 1997

Federal Communications Commission  
Office of Secretary

In the Matter of )

Amendment of the Commission's Rules )  
to Establish Rules and Policies )  
Pertaining to a Mobile-Satellite Service )  
in the 1610-1626.5/2483.5-2500 MHz )  
Frequency Bands )

CC Docket No. 92-166

To: The Commission

OPPOSITION TO MOTION TO FURTHER SUPPLEMENT  
PETITION FOR FURTHER RECONSIDERATION

Motorola Satellite Communications, Inc. ("Motorola") hereby opposes the Motion of TRW, Inc. ("TRW") to further supplement its Petition for Further Reconsideration in the above-captioned proceeding.<sup>11</sup> Under the guise of presenting so-called "new" information, TRW seeks yet another opportunity to press for the reimposition of an interim frequency plan in the United States for the Big LEO Mobile-Satellite Service ("MSS") systems. None of this information is relevant to the Commission's consideration of TRW's Petition. More importantly, by introducing private government-to-government correspondence into the public record of this proceeding, TRW may have prejudiced ongoing negotiations on the international coordination of all of the Big LEO MSS systems. Accordingly, the Commission must

<sup>11</sup> Motorola's Opposition to this Motion is filed in accordance with 47 C.F.R. § 1.45. Motorola reserves the right to respond to the substance of TRW's "Supplement" at a later date if the Commission does not immediately return this filing.

immediately expunge this material from the record and consider possible sanctions against TRW for its misconduct, including, but not limited to, the outright dismissal of its Petition for Further Reconsideration in accordance with Section 1.429(d) of the Rules.

As the Commission is well aware, Motorola opposed TRW's Petition for Further Reconsideration and will not repeat its arguments here.<sup>2/</sup> For purposes of this Opposition, it is sufficient to note that TRW's Petition presented no new facts bearing on the limited circumstances under which the Commission might consider reinstatement of an interim frequency plan. TRW's latest attempt to insert "new" information into the record of this proceeding is merely a transparent attempt to belatedly justify a procedurally deficient petition and must be rejected by the Commission.

The negotiating positions of the Russian Government as to the frequencies to be used by GLONASS while operating in Russia and the levels of protection that may be required to protect GLONASS operations in Russia have absolutely no relevance to the United States Government's willingness to protect GLONASS operations in the United States. As TRW is well aware, the documents attached to its latest filing do not reflect the positions of the United States Government in the ongoing international negotiations on coordinating Big LEO MSS systems or in the discussions at ongoing ITU Working Party 8D meetings. At best, TRW's Motion reflects a fundamental misunderstanding of the nature of the materials it is attempting to include in the record of this proceeding. At worst, its filing represents a misguided

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<sup>2/</sup> Opposition of Motorola to Petitions for Reconsideration in CC Docket 92-166, May 16, 1996.

attempt to prejudice ongoing private government-to-government negotiations on coordinating Big LEO MSS systems.

The Commission must not tolerate TRW's abuse of its processes. At minimum, the Commission should demand that TRW immediately retract its Motion and withdraw the supplemental materials. Moreover, the Commission should consider sanctioning TRW for publicly disclosing private government-to-government correspondence that might prejudice ongoing discussions with the Russian Government on coordinating the Big LEO MSS systems.

Respectfully submitted,

**MOTOROLA SATELLITE  
COMMUNICATIONS, INC.**

A handwritten signature in black ink, appearing to read "Philip L. Malet", written over a horizontal line.

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April 9, 1997

## **CERTIFICATE OF SERVICE**

I, Brent H. Weingardt, hereby certify that I have on this 9th day of April, 1997, caused copies of the foregoing **Opposition To Motion To Further Supplement Petition For Further Reconsideration** to be delivered via hand delivery as indicated, or by first class mail, postage prepaid, to the following:

- |  |  |
|--|--|
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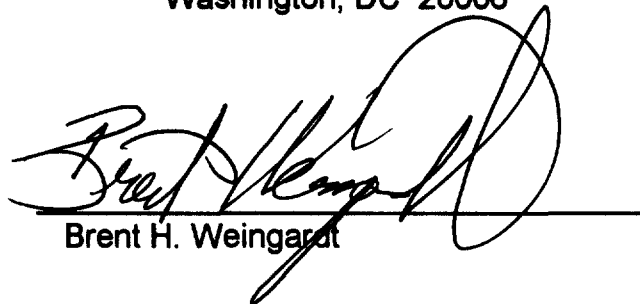
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